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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH****CRM-M-15009-2025 (O&M)  
DATE OF DECISION: 25.04.2025****RAJESH BHADANA****...PETITIONER****Versus****STATE OF HARYANA****... RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. KP Singh, Advocate with  
Mr. Sanskar Dhanda, Advocate for the petitioner(s).

Mr. B.S.Virk, Sr. DAG, Haryana.

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**SANDEEP MOUDGIL, J (ORAL)****1. Prayer**

This petition has been filed under Section 482 of Bharatiya Nagrik Suraksha Sanhita, 2023 for the grant of Anticipatory petitioner in FIR No.95 dated 8.2.2025 under sections 191(3), 190, 115, 115(2), 324(4), 351 (2), 126, 126(2), 109, 117(2) BNS, 2023 and Section 24, 25 Arms Act, 1959, (Section 115, 126, 351 (2) of BNS and 24 of Arms Act were deleted and section 109, 115(2), 126(2), 117 (2) of BNS and 25 of Arms Act were added later on), registered at police station, Surajkund, District Faridabad.

**2.** Prosecution story, set up in the present case as per the version in the FIR reads as under :-



*'To, the SHO, Police Station, Suraj Kund, Faridabad, Subject: Complaint for taking legal action regarding blocking the way and beating with the intention to kill and breaking hands and legs. Sir, I request that I, Vishal Bhadana son of Sh. Bijendra Bhadana, am resident of House No. C-3278, Green Field Colony, Faridabad. We have land in Katan Pahadi Pipe Factory. This land is under dispute with Sheeshpal son Chandra, Selak alias Billu son of of Santa and others, all residents of village Anangpur, Faridabad. On 6.2.2025 at around 11/12 PM at night, 15-20 boys including Selak son of Sante, Rahul son of Selak, Rohit son of Selak, Sunil @ Tony son of Shri P.1 Santa, Vivek, Pravesh son of Chatar Singh, Ankit, Roki sons of Harikishan @ Ghydu, Sahil son of Rambir @ Billa, Nandu son of Satbir, Krishna and Ajay sons of Shri Raje, Suresh Pandit son of Shri Tara Chand, Rajesh son of Shri Sheeshpal and about 5-6 other persons broke the boundary wall and gate of our above mentioned land. In this regard we reported the matter to the police by calling 112 on the same night. On the next day i.e. on 7.2.2025 at around 10.00 O'clock, when I went to my above mentioned land, I got the work started again to restore the broken boundary wall. After sometime 15-20 boys including Selak son of Santa, Rahul son of Selak, Rohit son of Selak, Sunil @ Tony son of Shri Santa, Vivek, Pravesh son of Chatar Singh, Ankit, Roki sons of Hari Kishan @ Ghudu, Sahil son of Rambir @ Billa, Nandu son of Satbir, Krishna and Ajay sons of Shri Raje, Suresh Pandit son of Shri Tara Chand Rajesh son of Shri Sheeshpal and about 5-6 other persons came with lathi, danda, rods in their hands. Out of these people Sagar and Sahil had pistols. When all of them came to our above-mentioned land, I called my father Shri Bijendra Singh and informed him about the entire matter. Then all of them said that today let us eliminate Bijendra. In a short while my father was coming to the spot no.HR51CB4646 in his car Then Innova. bearing just before the spot, all of the above said stopped my father in the*



*way and broke the side glass of the car and pointed a pistol on the temporal region of my father and pulled him out of his car. All of them, after laying my father on the ground started hitting him with hammers and iron rods on his hands and legs with the intention of killing him. When I ran towards them to save my father, the above mentioned people surrounded me and hit me with Lathi and Danda, all of them attacked my father with the intention of killing him in preplanned manner. You are requested to take legal action against all the above mentioned persons as soon as possible and arrest the accused and take further action. I will be highly grateful. Thank you. Applicant Vishal Bhadana son of Shri Bijendra Bhadana resident of House No. C-3278, Green Field Colony, 9718174646.'*

### **3. Contentions**

#### **On behalf of the petitioner**

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. He submits that no specific role has been attributed to the petitioner and it has been alleged that the petitioner along with other co-accused had attacked the complainant and his father. He further submits that the petitioner was even not present at the spot and he has not inflicted any injury to anyone, more so, the alleged occurrence is captured in the CCTV and as per the same, only two persons namely Rahul and Sahil are inflicting injuries.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.



### **On behalf of the State**

Learned State Counsel appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail, however submits that the main injuries are given by co-accused Rahul and Sahil and there is no active participation of the petitioner.

#### 4. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties that no specific role has been attributed to the petitioner; he has not inflicted any injury as per the MLR; nothing is to be recovered from the petitioner and both the parties belong to same locality, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

#### 5. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNS of which are reproduced below :-



*'When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*

*(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**25.04.2025**

*anuradha*

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*